

MAR. 7. 2001 7:26AM

NO. 0303 P. 2

**DECLARATION AND POWER OF ATTORNEY
FOR ORIGINAL U.S. PATENT APPLICATION**

Attorney's Docket No. NFC1P004X1

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR FILTERING AN OPTICAL BEAM the specification of which,

(check one)

1. ☐ is attached hereto.
2. ☒ was filed on July 27, 2000 as
U.S. Application No. _____
and was amended on _____
3. ☐ was filed on _____ as
International PCT Application No. _____
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

			Priority Benefits Claimed?
			Yes ___ No ___
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	Yes ___ No ___

Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>60/145,831</u>	<u>July 27, 1999</u>
(Application No.)	(Filing Date)
_____ (Application No.)	_____ (Filing Date)

Atty. Dkt. No.: NFC1P004X1

(Revised 3/29/99)

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application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

Power of Attorney

And I hereby appoint Charles C. Cary, Reg. No. 36, 764 and Robert H. Kelly, Reg. No. 33,922, all of the law firm of **CARY & KELLY, LLP**, 1875 Charleston Road, Mountain View, California, 94043, and all practitioners who are associated with this firm as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct Correspondence To:

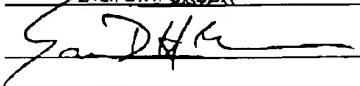
CARY & KELLY, LLP
1875 Charleston Road
Mountain View CA, 94043

Direct Telephone Calls To:

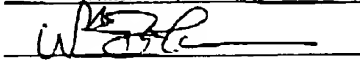
Charles C. Cary at telephone number (650) 533.4844

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Evan D.H. GREEN **Citizenship:** US
Inventor's signature:  **Date of Signature:** 3/6/01
Residence: (City) San Jose (State/Country) CA/USA
Post Office Address: 766 Coffeewood Court, San Jose, California 95120

Full Name of Second Joint

Inventor (if any): William B. CHAPMAN **Citizenship:** US
Inventor's signature:  **Date of Signature:** 02/28/01
Residence: (City) Sunnyvale (State/Country) CA/USA
Post Office Address: 421 S. Pastoria Avenue, Sunnyvale, California 94086

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March 6, 2001

CHARLES C. CARY
CARY & KELLY LLP
1875 CHARLESTON ROAD
MOUNTAIN VIEW CA 94043

To Whom It May Concern:

On February 26, 2001, Attorney Charles C. Cary called me, Examiner Cornelius H. Jackson, to enter a Pre-Amendment and a signed Declaration. Unknown to him or the applicant, to the best of my knowledge, a first office action was mailed on January 23, 2001, which apparently was never delivered to the address shown above since it was returned to the Patent Office and was placed within the application (serial number 09/626,526). After speaking with my supervisory primary examiner, I was told that the applicant may submit their Pre-Amendment and the Declaration and have it entered as such.

Respectfully,



Cornelius H. Jackson
Patent Examiner
USPTO

chj

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